

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2005:

Present

Vote

James S. Burgett, Chairman
Walter C. Zaremba, Vice-Chairman
Sheila S. Noll
Kenneth L. Bowman
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO SUPPORT THE REQUEST OF TRIBEK PROPERTIES TO OBTAIN APPROVAL FROM THE COMMONWEALTH TRANSPORTATION BOARD FOR A RIGHT-IN/RIGHT-OUT DRIVEWAY ACCESS BREAK ON THE WESTBOUND LANES OF ROUTE 171 (VICTORY BOULEVARD) APPROXIMATELY 400 FEET EAST OF ROUTE 17

WHEREAS, Mid-Atlantic Commercial Real Estate , on behalf of Tribek Properties, has approached the York County Board of Supervisors to seek the Board's support of Tribek's request to the Commonwealth Transportation Board for authorization of a break in the limited access status of Route 171 (Victory Boulevard); and

WHEREAS, Tribek Properties, through its agent, has represented to the Board of Supervisors that it has plans to develop an assemblage of land located on the north side of Route 171 into a project that will include a drugstore and a sit-down restaurant or a hotel, all of which are permitted uses under the property's current GB-General Business zoning classification; and

WHEREAS, Tribek Properties has also represented that its intention to develop the subject property is dependent on obtaining approval from the Commonwealth Transportation Board for installation of a right-in/right-out commercial entrance on Route 171 (Victory Boulevard) to serve the proposed development; and

WHEREAS, to facilitate the flow of traffic on Route 171 Tribek Properties has represented to the Board of Supervisors that it would install, at its expense, approximately 1,970 linear feet of roadway, the purpose of which is to create a third westbound travel lane on Route 171, beginning at a point approximately 300 feet east of the Route 134/Route 171 intersection and extending to the point where the existing third through/left-turn lane begins on the east side of the Route 17/Route 171 intersection; and

WHEREAS, such construction would be in addition to such turning lanes/acceleration lanes as are required of Tribek Properties by the Virginia Department of Transportation to serve the development's entrance on Route 17 (also a right-in/right-out) and on Route 171, if approved by the Commonwealth Transportation Board, but Tribek has determined that the Route 171 Improvements would serve its interests and, accordingly, has volunteered to construct the Route 171 improvements solely at its expense; and

WHEREAS, the Board of Supervisors has carefully considered the developer's proposal and determined that it is a request worthy of support, subject to conditions and agreements sufficient to guarantee the prospective developer implements the improvements to Route 171 that have been pledged;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of ____, 2005, that it does hereby endorse the request of Tribek Properties to obtain authorization from the Commonwealth Transportation Board for a limited access break that would allow the installation of a right-in/right-out driveway on the westbound lanes of Route 171 (Victory Boulevard) approximately 400 feet east of Route 17.

BE IT FURTHER RESOLVED that the Board's endorsement of this request is contingent on, and shall not be transmitted to the Commonwealth Transportation Board unless and until, the prospective developer's execution of an agreement with the County, secured by surety in the form of a letter of credit, cash, or a certified check, and in an amount determined acceptable by the County Administrator, to guarantee the timely construction and completion of the proposed Route 171 improvements.